

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: JANUARY 24, 2008****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: VAC-25907 - APPLICANT/OWNER: FARROKHTALA FAMILY MARITAL TRUST ET AL**

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**\*\* CONDITIONS \*\*****STAFF RECOMMENDATION: DENIAL.** If Approved, subject to:

1. The limits of this Petition of Vacation shall be described as the western most 10 feet of Bradley Road between Sheleheda Avenue and Honeycreek Avenue and the northern most 10 feet of Iron Mountain Road between Leon Avenue and Bradley Road, retaining any area necessary for radius corners.
2. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The drainage study required by SDR-25908 may be used to satisfy this requirement provided that it addresses the area to be vacated.
3. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of the Order of Vacation.
4. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
5. All development shall be in conformance with code requirements and design standards of all City Departments.
6. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.

**VAC-25907 - Conditions Page Two**  
**January 24, 2008 - Planning Commission Meeting**

7. Dedicate the necessary right-of-way for a 20-foot radius corner on the northeast corner of Leon Avenue and Iron Mountain Road prior to recordation of the Order of Vacation.
8. If the Order of Vacation is not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

**VAC-25907 - Staff Report Page One**  
**January 24, 2008 - Planning Commission Meeting**

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This application is a request for a Vacation of a 10-foot wide public right-of-way generally located at the northwest corner of Iron Mountain Road and Bradley Road. This application is being submitted to provide the additional necessary area for the siting of a proposed 126-lot single family residential subdivision development on this site.

The applicant is proposing to vacate approximately 600 linear feet of the public right-of-way that run to the east side of the northern two parcels that are adjacent to Bradley Road. Further, the applicant is proposing to vacate approximately 600 linear feet of the public right-of-way that runs east from Leon Avenue to the edge of the proposed development. Denial of the proposed project and subsequently this request are recommended.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
01/24/07	A companion items for a General Plan Amendment (GPA-25905), Rezoning (ZON-25906), and Site Development Plan Review (SDR-25908) will be heard concurrently with this item.
<b><i>Related Building Permits/Business Licenses</i></b>	
There are no relevant building permits or business licenses related to this site	
<b><i>Pre-Application Meeting</i></b>	
10/03/07	A pre-application meeting was held and elements of this application were discussed. Parking ratios, access issues from Decatur Boulevard and submittal requirements were discussed.
<b><i>Neighborhood Meeting</i></b>	
	<p>A neighborhood meeting was held at the Centennial Hills Community Center, 6601 North Buffalo Drive. Ten members of the public, five representatives of the applicant, and one member of the Planning and Development staff attended. Those in attendance had the following comments and concerns:</p> <ul style="list-style-type: none"> <li>• There was no objection to the density proposed.</li> <li>• There was a desire that the elevation of the houses within the proposed development be similar in appearance to the existing area homes.</li> </ul>

**VAC-25907 - Staff Report Page Two**  
**January 24, 2008 - Planning Commission Meeting**

<b>Field Check</b>	
12/20/07	The Department of Planning and Development conducted a site visit that found that the site is an undeveloped parcel. There was temporary chain link fencing around the perimeter of the site. Some trash and debris had collected at the edges of the site.

<b>Details of Application Request</b>	
<b>Site Area</b>	
Gross Acres	30.2

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	DR (Desert Rural Density Residential) [Proposed: L (Low Density Residential)]	R-E (Residence Estates) [Proposed: R-PD4 (Residential Planned Development – Four Units per Acre)]
North	Single Family, Detached	R (Rural Density Residential)	R-PD3 (Residential Planned Development – Three Units per Acre)
	Undeveloped	PF (Public Facilities)	R-E (Residence Estates)
South	Single Family, Detached	L (Low Density Residential)	R-PD4 (Residential Planned Development – Four Units per Acre)
East	Undeveloped	PF (Public Facilities)	C-V (Civic)
	Undeveloped	DR (Desert Rural)	R-E (Residence Estates)
West	Single Family, Detached	L (Low Density Residential)	R-PD4 (Residential Planned Development – Four Units per Acre)

<b>Special Districts/Zones</b>	<b>Yes</b>	<b>No</b>	<b>Compliance</b>
<b>Special Area Plan</b>		X	n/a
<b>Special Districts/Zones</b>	<b>Yes</b>	<b>No</b>	<b>Compliance</b>
<b>Special Purpose and Overlay Districts</b>		X	n/a
<b>Trails</b>	X		Y *
<b>Rural Preservation Overlay District</b>		X	n/a
<b>Development Impact Notification Assessment</b>		X	n/a
<b>Project of Regional Significance</b>		X	n/a

**VAC-25907 - Staff Report Page Three**  
**January 24, 2008 - Planning Commission Meeting**

- \* The required trail is indicated by notation. A condition has been included in the Site Development Plan Review (SDR-25908) that requires the trail to meet the Recreation Trails Element requirements for a Multi-use Equestrian Trail.

## **DETAILS OF APPLICATION REQUEST**

The property is legally described as a 10-foot wide public right-of-way generally located at the northwest corner of Iron Mountain Road and Bradley Road.

Said property being a portion of the Southeast Quarter (SE¼) of the Southwest Quarter (SW¼) of Section 1, Township 19 South, Range 60 East, M.D.M.

## **ANALYSIS**

- **Planning and Development**

A Site Development Plan Review (SDR-25908) if approved would require that this vacation be approved and recorded in order to develop the site as reviewed. If the vacation is not approved by the City Council, then the site plan must be revised to conform to the existing right-of-way and access easement and resubmitted to the Planning and Development Department.

Planning staff has no objection to the vacation request. No adverse affects to traffic circulation or site access would result with the proposed vacation.

- **Public Works**

We present the following information concerning this request to vacate certain public street ROW:

- A. Does this vacation request result in uniform or non-uniform right-of-way widths? *It will result in uniform widths matching up with existing rights-of-way.*
- B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No.*
- C. Does it appear that the vacation request involves only excess right-of-way? *Yes, the request complies with the City's Master Plan of Streets and Highways.*
- D. Does this vacation request coincide with development plans of the adjacent parcels? *Yes, SDR-25908.*

**VAC-25907 - Staff Report Page Four**  
**January 24, 2008 - Planning Commission Meeting**

- E. Does this vacation request eliminate public street access to any abutting parcel?  
*No.*
- F. Does this vacation request result in a conflict with any existing City requirements?  
*No.*
- G. Does the Department of Public Works have an objection to this vacation request?  
*No.*

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

1

**ASSEMBLY DISTRICT** 13

**SENATE DISTRICT** 9

**NOTICES MAILED** 2

**APPROVALS** 0

**PROTESTS** 0